



PTO/SB/21 (04-04)

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| TRANSMITTAL FORM <small>(To be used for all correspondence after initial filing)</small> | Application Number | 10/840,026 | |
| | Filing Date | May 5, 2004 | |
| | First Named Inventor | Rambo, Kenneth | |
| | Art Unit | 2611 | |
| | Examiner Name | Not Assigned | |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number | 020366-091910US |

| ENCLOSURES (Check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | SB/08A |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Return Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Townsend and Townsend and Crew LLP | |
| Signature | Stephen F. Jewett Reg. No. 27,565 | |
| Date | September 1, 2004 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|-------------------|------|-------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Janet L. Newmaker | | |
| Signature | Janet L. Newmaker | Date | September 1, 2004 |

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PATENT
Attorney Docket No.: 020366-091910US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On September 1, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Janet L. Newmaker

Janet L. Newmaker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kenneth Rambo

Application No.: 10/840,026

Filed: May 5, 2004

For: SYSTEM AND METHOD FOR
SIMULTANEOUSLY
DISPLAYING VIDEO
PROGRAMMING AND INSTANT
MESSAGING

Customer No.: 20350

Examiner: Not Assigned

Art Unit: 2611

Confirmation No.: 7767

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

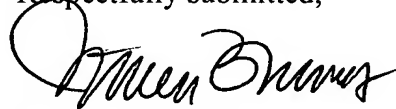
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are not enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Stephen F. Jewett
Reg. No. 27,565

Date: September 1, 2004

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60298708 v1



Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

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|------------------------|-----------------|
| Application Number | 10/840,026 |
| Filing Date | May 5, 2004 |
| First Named Inventor | Rambo, Kenneth |
| Art Unit | 2611 |
| Examiner Name | Not Assigned |
| Attorney Docket Number | 020366-091910US |

U.S. PATENT DOCUMENTS+

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number Kind Code ² (if known) | | | |
| | AA | US-5,594,794 | 01-14-1977 | Eyer et al. | |
| | AB | US-6,233,389 B1 | 05-15-2001 | Barton et al. | |
| | AC | US-6,412,112 B1 | 06-25-2002 | Barrett et al. | |
| | AD | US-6,597,785 B1 | 07-22-2003 | Burke et al. | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
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Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.